

U.S. Patent Appln. No. 10/660,964

Docket No. 6834-1-3

Amendment

Response to Office Action of January 14, 2005

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently amended) A padded shoe, comprising:  
a flexible, resilient sole having a substantially generally smooth outer surface;  
a shoe upper adjoined to the sole, wherein at least a portion of said shoe upper has closed-cell foam padding disposed therein;  
said shoe upper comprising a padded tongue, wherein said padded tongue comprises an inner padded tongue portion and an outer padded tongue portion;  
fastening structure to retain the shoe on the foot of a wearer; and  
engagement structure for securing said outer padded tongue to cover said inner padded tongue portion, said outer padded tongue portion substantially covering said engagement structure,  
whereby the wearer can strike a target with said shoe, and the target and the wearer are protected from injury caused by direct impact with said fastening structure and said engagement structure.

2. (Original) The padded shoe of claim 1, wherein the outer tongue portion is attached to the shoe upper at one side of the shoe.

3. (Original) The padded shoe of claim 1, wherein the outer tongue portion is attached to the shoe upper at an end of the tongue.

4. (Original) The padded shoe of claim 1, wherein the outer padded tongue portion has closed-cell foam padding disposed therein.

5. (Cancelled)

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6. (Original) The padded shoe of claim 5, wherein the inner padded tongue portion has closed-cell foam padding disposed therein.

7. (Original) The shoe of claim 1, wherein the shoe upper is completely padded.

8. (Original) The shoe of claim 1, wherein the shoe upper comprises padding to generally correspond to at least one location on the foot of the wearer, said location including at least one of the group consisting of the forward dorsal region, the top of the foot, the posterior aspect of the heel, the left and right forward lateral aspects of the foot, and the ankle portion.

9. (Original) The shoe of claim 1, wherein the closed-cell foam padding in the shoe upper has a durometer of approximately 0.253.

10. (Original) The shoe of claim 1, wherein the closed-cell foam padding in the shoe upper has a density of between approximately 1.5 pcf and approximately 4.5 pcf.

11. (Original) The shoe of claim 1, wherein the closed-cell foam padding in the shoe upper has a density of between approximately 1.5 pcf and approximately 3.5 pcf.

12. (Original) The shoe of claim 1, wherein the closed-cell foam padding in the shoe upper has a compression strength of between approximately 3 psi and approximately 23 psi at approximately 25% deflection and a compression strength of between approximately 9 psi and approximately 42 psi at approximately 50% deflection.

13. (Original) The shoe of claim 1, wherein the closed-cell foam padding in the shoe upper has a compression strength of between approximately 6 psi and approximately 22 psi at approximately 25% deflection and a compression strength of between approximately 12 psi and approximately 34 psi at approximately 50% deflection.

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14. (Original) The shoe of claim 1, wherein the closed-cell foam padding in the shoe upper has a tensile strength of between approximately 28 psi and approximately 145 psi.

15. (Original) The shoe of claim 1, wherein the closed-cell foam padding in the shoe upper has a tensile strength of between approximately 30 psi and approximately 120 psi.

16. (Original) The shoe of claim 1, wherein the padding in the shoe upper has a thickness between approximately 0.125 inch and approximately 1 inch.

17. (Original) The shoe of claim 1, wherein the padding in the shoe upper has a thickness between approximately 0.25 inch and approximately 0.5 inch.

18. (Original) The shoe of claim 1, wherein the padding in the shoe upper has a thickness of approximately 0.375 inch.

19. (Cancelled).

20. (Original) The shoe of claim 1, wherein at least a portion of the sole has a surface pattern thereon.

21. (Original) The shoe of claim 1, wherein at least a portion of the perimeter of the sole is chamfered.

22. (Original) The shoe of claim 18, wherein the chamfering provides a smooth arcuate edge to said sole.

23. (Original) The shoe of claim 1, wherein the sole is formed at least partially from EVA.

24. (Original) The shoe of claim 1, wherein the sole has a durometer between approximately 0.20 and approximately 0.23.

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25. (Original) The shoe of claim 1, wherein the fastening structure comprises a lace threaded through eyelets disposed on said shoe upper.

26. (Original) The shoe of claim 1, wherein the engagement structure comprises hook and loop fastener material positioned on at least a portion of an underside of the outer tongue portion.

27. (Original) The shoe of claim 1, wherein the inner tongue portion comprises an elastic material, said elastic material also comprising the fastening structure.

28. (Original) The shoe of claim 1, wherein the shoe upper is formed using a Strobel construction.